



SAINT BENEDICT PRESS



TAN BOOKS

Publishers You Can Trust with Your Faith

November 11, 2013

Mr. Paul Kejik
Director
Baronius Press
78 York St.
London W1H 1DP

Paul:

This letter is in response to your letter of September 23, 2013.

In response to your letter, and your earlier ones of August 9, 2013 and March 22, 2013, TAN has conducted an extensive audit of our correspondence files and publication history for *Fundamentals of Catholic Dogma*. We have devoted significant time and resources to this process and consulted two independent copyright attorneys.

We have now completed our audit. We maintain that TAN has a legal right to publish *Fundamentals*, as TAN has done continuously since 1974.

TAN does not dispute the copyright status of the German original and the English translation by Mercier, as set forth in your Notices of Intent to Enforce (NIE) dated April 26th, 2013. We acknowledge copyright was restored to both the German original and the Mercier text by the Uruguay Round Agreements Act (URAA).

TAN, however, maintains publication rights in *Fundamentals*, as the successor-in-interest to B. Herder of St. Louis, to whom Mercier Press granted exclusive US co-publication rights. In the alternative, we are entitled to continued publication as a reliance party under 104A(d)(3) of Title 17 of the US Code.

Our publication rights to *Fundamentals* have been recognized by the U.S. Bankruptcy Court for the Northern District of Illinois, Western Division. After extensive expert review and public notice, the Court certified TAN's publication rights to *Fundamentals* by name when Saint Benedict Press LLC acquired TAN in 2008.

We acknowledge that, with copyright restored in the works and having filed your NIEs, Baronius Press is entitled to reasonable compensation from TAN's continued publication of *Fundamentals*. We are willing to enter into the Licensing Agreement attached.

The Agreement pays you twice each year a royalty of 7.5% of net receipts from all sales of *Fundamentals* occurring on or after April 26th, 2013. This royalty rate is the same paid

on *Fundamentals* by B. Herder and represents reasonable compensation for use of the Work.

To execute this Licensing Agreement, simply countersign the two signed copies enclosed, retain one for your records, and return the other to us. Upon receipt of your countersigned Agreement, we will enter Baronius Press into our royalty system.

Should you decline to enter this Agreement TAN will continue to publish *Fundamentals*. We are prepared to defend our publication rights and proposed compensation in Court. In such an event we will seek to recover attorney's fees to the maximum extent allowed by law.

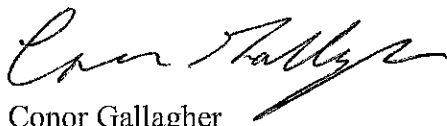
One final point: In your letter of August 9th, you state that TAN's publication of *Fundamentals* constitutes "willful infringement," and you threaten to inform the public of such.

Characterizing TAN's publication of *Fundamentals* in this manner is a grave error. We have explained to you the source of TAN's continuing publication rights and informed you that these rights have been recognized by a US Court.

Be assured: Should you accuse TAN of willful infringement or make any other defamatory statements in the public forum, we will respond immediately and vigorously and will seek redress and restitution to the maximum extent allowed by law.

Paul I close by noting once again that we have devoted significant resources to responding to your several letters regarding *Fundamentals*. We consider our duties of correspondence with you in this matter fully satisfied. TAN will continue to publish *Fundamentals*; we will pay you a 7.5% royalty on net receipts going forward upon receipt of your signed License Agreement; if you wish to bring suit in Court we will defend ourselves vigorously and seek attorney fees; and if you accuse us of willful infringement we will bring suit against you for defamation. I trust this is sufficiently clear.

Very truly yours,

A handwritten signature in black ink, appearing to read "Conor Gallagher", written in a cursive style.

Conor Gallagher
Vice President of Publishing
Saint Benedict Press and TAN Books



SAINT BENEDICT PRESS




TAN BOOKS

P.O. Box 410487 • Charlotte, North Carolina • 28241


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6. This Agreement constitutes the only and entire legally binding agreement between the Licensor and the Licensee with respect to the Work herein identified.
7. This Agreement shall be binding upon the successors of the Licensee and the successors of the Licensor. In witness whereof both parties set their signatures under this Agreement:


Conor Gallagher, VP of Publishing
Saint Benedict Press

11/12/13
Date


Witness

Paul Kejik, Director
Baronius Press

Date

Witness



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4. In compensation for these rights, Licensee agrees to pay Licensor a royalty of 7.5% of Licensee's revenue from sales of the Work, for all sales made on or after April 26, 2013. Royalties will be reported and paid semiannually during the months of February and August each year.
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7. This Agreement shall be binding upon the successors of the Licensee and the successors of the Licensor. In witness whereof both parties set their signatures under this Agreement:


Conor Gallagher, VP of Publishing
Saint Benedict Press

11/12/13

Date


Witness

Paul Kejik, Director
Baronius Press

Date

Witness